

REMARKS/ARGUMENTS

This amendment is being filed in response to the Office action mailed April 13, 2005. As of the Office action of April 13, 2005, claims 1-10 are pending with claims 1-5 and 7-10 standing rejected and claim 6 being objected to. Reexamination and reconsideration of the application as amended and in view of the remarks herein is respectfully requested.

Claim Amendments

Claim 1 has been amended to recite, in part, "said travel member defining a generally u-shaped opening; at least one magnet coupled to said travel member and positioned at least partially in said generally u-shaped opening; a sensor coupled to said main plate and being positioned at least partially in said generally u-shaped opening and adjacent to said at least one magnet". Support for these amendments can be found in original claims 2, 3, and 4, as well as in FIGS. 2 through 4 and the associated description in paragraphs [0030] through [0038] of the application as published (U.S. Patent Application Publication No. US 2004/0231436). Accordingly, no new matter is believed entered.

Claim 2 has been amended to delete that subject matter incorporated into claim 1, and for consistency with claim 1. No new matter is believed entered.

Claim 3 has been amended to remove that subject matter incorporated into claim 1 and for consistency with claim 1. No new matter is believed entered.

Claim 4 has been cancelled.

Claim 6 has been amended to correct a typographical error.

New dependent claims 11-13 have been added. New claims 11-13 are substantially identical to claims 5-7, but depend from claim 10.

Original claim 6 has been rewritten in independent form as new claim 14.

Allowable Subject Matter

Applicants would like to thank the Examiner for recognizing the allowable subject matter of claim 6. Original claim 6 has been rewritten in independent form as new claim 14. Applicants respectfully submit that new claim 14 is thus in a condition for allowance.

Rejections Under 35 U.S.C. §102

Claims 1, 4-5, and 7-9 were rejected under 35 U.S.C. §102(e) as being anticipated by Blackburn et al. (U.S. Patent No. 6,732,592). Applicants respectfully traverse this rejection.

As an initial point, independent claim 1 requires, in part, "at least one bias spring biasing said travel member against said at least one leaf spring." The biasing spring biases the travel member against the at least one leaf spring "to take up any tolerance between the flat springs and the travel member actuator." Paragraph [0036] of the application as published (U.S. Patent Application Publication No. US 2004/0231436).

In contrast to the biasing spring recited in claim 1, Blackburn et al. teaches a configuration in which "[t]he biasing spring 154 applies a predetermined initial spring load onto the sensor 158, the counterbalance of which is taken up by the nose to the blind rear end 118 (the rearward leaf spring 146 being sandwiched therebetween)." Col. 6, l. 13-17. Accordingly, the biasing spring of Blackburn et al. does not bias second housing member 104 against the leaf

spring 146 as recited by claim 1, but rather presses the second housing member 104 against the first housing member 102 through the spring.

Furthermore, claim 1 has been amended to recite, in part, "said travel member defining a generally u-shaped opening", as originally recited in claim 4. Claim 1 has also been amended to recite "a sensor coupled to said main plate and being positioned at least partially in said generally u-shaped opening". Accordingly, as amended, "upon application of tension to said seat belt webbing, said travel member is configured to move relative to said main plate[and relative to said sensor coupled to said main plate] against said at least one leaf spring."

Contrary to the Examiner's assertions, Applicants respectfully submit that Blackburn et al. does not disclose a travel member defining a generally u-shaped opening. Referring to Blackburn et al. FIGS. 6 through 8B, the second housing member 104, which moves relative to the sensor 158, includes a sensor aperture 132 that has a geometry which is completely closed by the second housing member 104. Accordingly, Applicants respectfully submit that Blackburn et al. fails to teach, or even suggest, the features "said travel member defining a generally u-shaped opening" and "a sensor coupled to said main plate and being positioned at least partially in said generally u-shaped opening" recited by independent claim 1.

In addition to the preceding shortcomings of Blackburn et al., independent claim 1 has been amended to recite "at least one magnet coupled to said travel member and positioned at least partially in said generally u-shaped opening". This feature also is neither taught nor suggested by Blackburn et al.

In view of the foregoing amendments and remarks, Applicants respectfully submit that Blackburn et al. does not teach, or even suggest, all of the limitations of claim 1 as amended

herein. Accordingly, Applicants respectfully request that the rejection of claims 1, 5 and 7-9 under 35 U.S.C. §102(e) as anticipated by Blackburn et al. be withdrawn upon reconsideration.

Claim 4 has been cancelled herein, rendering the rejection thereof moot.

Rejections Under 35 U.S.C. §103

Claims 2-3 and 10 were rejected under 35 U.S.C. §103(a) as being obvious over Blackburn et al. in view of Specht et al. (U.S. Patent No. 6,857,326). Applicants respectfully traverse this rejection.

The disclosure of Specht et al. has been offered by the Examiner in support of the position that the use magnetic sensors in seat belt tension sensors is known. As discussed at length above, Blackburn et al. fails to teach, or even suggest, numerous structural aspects of the device of independent claim 1. Specht et al. has not been offered to provide a teaching of any of the structural aspects of the claimed seat belt tension sensor. Furthermore, Applicants respectfully submit that Specht et al. does not, in fact, remedy any of the deficiencies of Blackburn et al. in this regard.

As discussed previously, independent claim 1 is directed at a seat belt tension sensor including, *inter alia*, a travel member defining a generally u-shaped opening; at least one magnet coupled to said travel member and positioned at least partially in said generally u-shaped opening; and a sensor coupled to said main plate and being positioned at least partially in said generally u-shaped opening and adjacent to said at least one magnet. Similar to claim 1, independent claim 10 recites a seat belt tension sensor including “a sensor coupled to said main plate” and a “travel member comprising first and second magnets separated by a generally u-shaped opening, said sensor being disposed at least partially within said opening.”

Appln. No. 10/761,134
Amdt. dated July 13, 2005
In response to Office action mailed April 13, 2005

Applicants respectfully submit that the combined teachings of Blackburn et al. and Specht et al. do not provide a seat belt tension sensor as claimed by either independent claim 1, or independent claim 10. New claims 11-13 depend directly from claim 10. Accordingly, Applicants respectfully request that the rejection of claims 2-3, 10 and 11-13 as obvious under 35 U.S.C. §103(a) over Blackburn et al. and Specht et al. be withdrawn upon reconsideration.

Having overcome all of the outstanding rejections, it is respectfully submitted that the application is now in condition for allowance. Early and favorable action is respectfully solicited.

In the event that there are any fee deficiencies, or additional fees are payable, please charge, or credit any overpayment to, our Deposit Account No. 50-2121.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read 'DJP', is written over a horizontal line.

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